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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,486	03/07/2002	Dean Moses	19312.0021	9466

23517 7590 08/13/2003

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EXAMINER

CALDWELL, ANDREW T.

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 08/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,486

Applicant(s)

MOSES ET AL.

Examiner

Andrew Caldwell

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Remarks

Claims 1-46 are pending.

Claim Objections

Claims 1, 11, 16, and 26 objected to because of the following informalities: As to claim 1, it refers to a plurality of location at lines 5-6. A single location is not consistent with the use of the term plurality. Claims 11, 16, and 26 contain similar problems. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Developing Applications with JRun, Allaire Corp., pp. I to xxvi, 1-13, 378-413, May 10,

2001, hereinafter the JRun Manual, in view of Douglas, G., Web Browser File Uploading to EAS Server, Sybase, pp. 1-5, January 15, 2001.

Regarding claim 1, the JRun Manual teaches the invention substantially as claimed by disclosing a method comprising:

Storing assets of a component of a site designated for export as an export file (pp. 408-409 EAR file);

Extracting the assets of the component from the export file to a plurality of locations on the system (pp. 409 and 411);

Wherein the assets include file assets and non-file assets configured to operate on the system (pp. 408-411 showing expansion of WAR files into directory structure as file assets and deploying the JAR files and application.xml file as non-file assets).

The JRun Manual does not explicitly teach a method wherein the export file is transferred to a system at a remote location and the extracted assets are stored on the system at the remote location.

Douglas on the other hand teaches a method wherein the export file is transferred to a system at a remote location and the extracted assets are stored on the system at the remote location (pp. 1-5 uploading file from client to server).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the JRun Manual's single system to transfer the export file from the client/development system to a remote system/server because it would

1 allow development to occur on a system separate from the remote system/server, thus
2 increasing the reliability of the JRun Manual's web application.

3 Regarding claim 2, the JRun Manual teaches a method further comprising
4 collecting the assets of the designated component (pp. 381-383).

5 Regarding claim 3, the JRun Manual teaches a method further comprising
6 querying a local system to identify the component designated for export (pp. 381-387).

7 Regarding claim 4, the JRun Manual teaches a method wherein the collecting the
8 assets further comprises constructing the non-file assets as an XML fragment with a
9 predetermined structure (pp. 409-410 application.xml file).

10 Regarding claim 5, the JRun Manual teaches a method further comprising
11 parsing the XML fragment (pp. 409-410 where parsing is implicit in the use of the XML
12 file).

13 Regarding claim 6, the JRun Manual teaches a method further comprising
14 instantiating the non-file assets (pp. 408-411).

15 Regarding claim 7, the JRun Manual teaches a method wherein the non-file
16 assets include servlets. As to the particular limitations at issue in claim 7, it is well know
17 in the art that servlets perform these functions. It would therefore have been obvious to
18 one of ordinary skill in the art at the time the invention was made to have the servlets of
19 the JRun Manual perform their ordinary functions in a web application.

20 Regarding claims 8-10, they are a method claims directed to the local system of
21 claims 1-7, which are directed to a method encompassing both the local and the remote

1 system. Since the remarks given above with respect to claims 1-7 apply equally to
2 claims 8-10, they will not be repeated.

3 Regarding claims 11-15, they are method claims directed to the remote system
4 of claims 1-7, which are directed to a method encompassing both the local and the
5 remote system. Since the remarks given above with respect to claims 1-7 apply equally
6 to claims 8-10, they will not be repeated.

7 Regarding claims 16-22, they are computer readable media claims
8 corresponding to method claims 1-7, respectively. Since they do not teach or define
9 above the information in the corresponding method claims, they are rejected under the
10 same basis.

11 Regarding claims 23-25, they are computer readable media claims
12 corresponding to method claims 8-10, respectively. Since they do not teach or define
13 above the information in the corresponding method claims, they are rejected under the
14 same basis.

15 Regarding claims 26-29, they are computer readable media claims
16 corresponding to method claims 11-15, respectively. Since they do not teach or define
17 above the information in the corresponding method claims, they are rejected under the
18 same basis.

19 Regarding claims 30-38, they are apparatus claims corresponding to method
20 claims 1-7. Since they do not teach or define above the information in the
21 corresponding method claims, they are rejected under the same basis.

Regarding claims 39-42, they are apparatus claims directed to just the local system of system claims 30-38, respectively. Since the remarks given above with respect to claims 30-38 apply equally to claims 39-42, they will not be repeated.

Regarding claims 43-46, they are apparatus claims directed to just the remote system of system claims 30-38, respectively. Since the remarks given above with respect to claims 30-38 apply equally to claims 43-46, they will not be repeated.

Conclusion

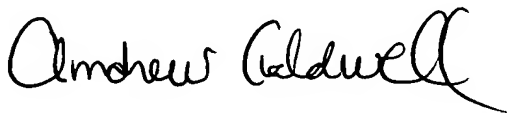
A shortened statutory period for response to this action is set to expire **three months** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Caldwell, whose telephone number is (703) 306-3036. The examiner can normally be reached on M-F from 9:00 a.m. to 5:30 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, Ario Etienne, can be reached at (703) 308-7562. Additionally, the fax numbers for Group 2100 are as follows:

Fax Responses: (703) 872-9306

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-9600.



Andrew Caldwell
703-306-3036
August 7, 2003